

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF TIPPECANOE, INDIANA
ORDINANCE NO. 99-11-CM
AN ORDINANCE TO VACATE AN EASEMENT

WHEREAS, PEGGY S. LEWIS (FORMERLY KNOWN AS PEGGY S. FUNK) and DAVID W. CATLIN AND ANN CHRISTINE CATLIN, husband and wife, filed their Petition for the vacation of that portion of an easement as more particularly described below; and

WHEREAS, due notice of said Petition and the time and place of the public hearing thereon was duly given and published, and specific notice thereof was given by certified mail to each owner of land that abuts the portions of the easement proposed to be vacated, all in the manner provided by law; and

WHEREAS, pursuant to such notice, a timely public hearing was held on said Petition, after its receipt, as provided by law; and

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of County Commissioners of Tippecanoe County, Indiana, that the following described portion of the easement across the real estate more particularly described in Exhibit A, be and it is hereby vacated:

An easement platted as a strip ten (10) feet of even width off the entire southeast and southwest side of Lot numbered Three (3) in Hide-A-Way Subdivision; located in Wabash Township, Tippecanoe County, Indiana.

The above described area hereby vacated is further depicted and set forth in the drawing attached and incorporated herein as Exhibit B.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT THIRTY (30) DAYS AFTER ITS PASSAGE.

Passed and adopted by the Board of County Commissioners of Tippecanoe County, Indiana, on the 15th day of March, 1999.

VOTE

Yes

John Knochel, President

Yes

Ruth E. Shedd, Vice President

Yes

Kathleen Hudson, Member

ATTEST:

Robert A. Plantenga, Auditor

EXHIBIT A

PARCEL I

Lot numbered Three (3) in Hide-Away Hill Subdivision as platted upon a part of the Southeast Quarter of Section Five (5), Township Twenty-three (23) North, Range Four (4) West. Located in Wabash Township, Tippecanoe County, Indiana.

PARCEL II

A part of the Southeast Quarter of Section 5, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows: Beginning at an iron pipe found at the southwestern corner of Lot 3 of Hide-Away Hill Subdivision, as recorded in Plat Book 8, Page 43 in the Office of the Tippecanoe County Recorder; thence South $46^{\circ} 39' 00''$ East, 155.64 feet to a rebar with plastic cap; thence North $66^{\circ} 59' 10''$ East, 132.14 feet to a rebar with plastic cap; thence North $21^{\circ} 38' 20''$ West, 128.51 feet to an iron pipe found at the deflection point along the eastern boundary of said Lot 3; thence the following two (2) courses along a portion of the easterly and southerly boundaries of said Lot 3; (1) South $17^{\circ} 09' 20''$ West, 108.94 feet, (2) North $75^{\circ} 37' 00''$ West, 160.30 feet to the point of beginning, containing 0.308 acres.

PARCEL IV

A part of the Southeast Quarter of Section 5, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows: Commencing at an iron pipe found at the southwestern corner of Lot 3 of Hide-Away Hill Subdivision; thence South $46^{\circ} 39' 00''$ East, 155.64 feet to a rebar with plastic cap and point of beginning; thence South $76^{\circ} 35' 05''$ East, 91.93 feet to a rebar with plastic cap; thence North $23^{\circ} 48' 25''$ East, 79.78 feet to a rebar with plastic cap; thence South $66^{\circ} 59' 10''$ East, 132.14 feet to the point of beginning, containing 0.08 acres.